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Guidelines calculator

Months:

**168-
210**

Zone:

D

Level:

35

History:

I

Fine:

**\$20,000 to
\$200,000**

Count 1: 18 U.S.C. § 2252

2G2.2(a)(1)	Base Offense Level	18
2G2.2(b)(2)	the material involved a prepubescent minor or a minor who had not attained the age of 12 years	+2
2G2.2(b)(3)(F)	distribution other than distribution described in subdivisions (A) through (E)	+2

2G2.2(b)(4)	the offense involved material that portrays (A) sadistic or masochistic conduct or other depictions of violence; or (B) sexual abuse or exploitation of an infant or toddler	+4
2G2.2(b)(5)	the defendant engaged in a pattern of activity involving the sexual abuse or exploitation of a minor	+5
2G2.2(b)(6)	the offense involved the use of a computer or an interactive computer service for the possession, transmission, receipt, or distribution of the material, or for accessing with intent to view the material	+2
2G2.2(b)(7)(D)	1,309 images	+5
	Total offense level for this count	38

Acceptance of Responsibility (U.S.S.G. § 3E1.1)

§ 3E1.1(a)	the defendant clearly demonstrates acceptance of responsibility for his offense	-2
§ 3E1.1(b)	Government motion	-1

Criminal History (Chapter 4A)

§ 4A1.1 Criminal history level: I (0 or 1 points)

Total points (Criminal History category I)



Count 1: 18 U.S.C. § 2252



What is the offense of conviction?

18

U.S.C. § 2252

OK

(or,

Child pornography



)

Applying § 2G2.2 (Trafficking in Material Involving the Sexual Exploitation of a Minor; Receiving, Transporting, Shipping, or Advertising Material Involving the Sexual Exploitation of a Minor; Possessing Material Involving the Sexual Exploitation of a Minor with Intent to Traffic, Possessing Material Involving the Sexual Exploitation of a Minor)

Defendant is convicted of 18 U.S.C. § 1466A(b), § 2252(a)(4), or § 2252A(a)(5)?

☒ Yes

The material involved a prepubescent minor or a minor who had not attained the age of 12 years?

☒ Yes

The offense involved distribution for pecuniary gain?

☐ Yes

The offense involved distribution to a minor that was intended to persuade, induce, entice, coerce, or facilitate the travel of, the minor to engage in prohibited sexual conduct?

☐ Yes

The offense involved distribution to a minor that was intended to persuade, induce, entice, or coerce the minor to engage in any illegal activity?

☐ Yes

The defendant distributed in exchange for any valuable consideration, but not for pecuniary gain?

☐ Yes

Offense involved distribution to a minor?

☐ Yes

Defendant knowingly engaged in distribution?

☒ Yes

The offense involved material that portrays (A) sadistic or masochistic conduct or other depictions of violence; or (B) sexual abuse or exploitation of an infant or toddler?

☒ Yes

The defendant engaged in a pattern of activity involving the sexual abuse or exploitation of a minor?

☒ Yes

The offense involved the use of a computer or an interactive computer service for the possession, transmission, receipt, or distribution of the material, or for accessing with intent to view the material?

☒ Yes

The number of images involved in the offense?

1309

Adjustments as appropriate related to victim, role, and obstruction of justice

Which adjustment guidelines might apply to this count?

- ☐ § 3A1.1 (Hate Crime Motivation or Vulnerable Victim)
- ☐ § 3A1.2 (Official Victim)
- ☐ § 3A1.3 (Restraint of Victim)
- ☐ § 3A1.4 (Terrorism)
- ☐ § 3A1.5 (Serious Human Rights Offense)
- ☐ § 3B1.1 (Aggravating Role)
- ☐ § 3B1.2 (Mitigating Role)
- ☐ § 3B1.3 (Abuse of Position of Trust or Use of Special Skill)
- ☐ § 3B1.4 (Using a Minor To Commit a Crime)
- ☐ § 3B1.5 (Use of Body Armor in Drug Trafficking Crimes and Crimes of Violence)
- ☐ § 3C1.1 (Obstructing or Impeding the Administration of Justice)
- ☐ § 3C1.2 (Reckless Endangerment During Flight)
- ☐ § 3C1.3 (Commission of Offense While on Release)
- ☐ § 3C1.4 (False Registration of Domain Name)



Acceptance of Responsibility

Applying § 3E1.1 (Acceptance of Responsibility)

The defendant clearly demonstrates acceptance of responsibility for his offense?

☒ Yes

Government moves that the defendant has assisted authorities in the investigation or prosecution of his own misconduct by timely notifying authorities of his intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the government and the court to allocate their resources efficiently?

☒ Yes

▼ Criminal History

Applying § 4A1.1 (Criminal History Category)

What is the defendant's Criminal History Category?

1 (0 or 1 points) ▼

▼ Career Offender and Criminal Livelihood

Chapter 4B: Career Offenders and Criminal Livelihood

Which of the following provisions might apply to this defendant?

- ☐ § 4B1.1 (Career Offender)
- ☐ § 4B1.3 (Criminal Livelihood)
- ☐ § 4B1.4 (Armed Career Criminal)
- ☐ § 4B1.5 (Repeat and Dangerous Sex Offender Against Minors)

News and Updates

Based on the [Nov. 1, 2018, United States Sentencing Commission Guidelines Manual](#)

By Josh Goldfoot (e-mail: dev@sentencing.us). Accuracy is not guaranteed. Error reports and suggestions are welcome. This is a personal project, not affiliated with any government agency or law firm. Do not ask me to apply the guidelines for you. This site does not provide legal advice. [Hire a lawyer](#) for legal advice. [Photo credit](#).